

APPENDIX**Sent to Governor**

(April 26, 1977)

S.C.R. 3**S.B. 637****S.B. 685****S.B. 689****S.B. 735****S.B. 922****FIFTY-EIGHTH DAY**

(Wednesday, April 27, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Absent-excused: Sherman.

A quorum was announced present.

The Reverend Harwell E. Norris, Jr., St. Andrews Presbyterian Church, Austin, Texas, offered the invocation as follows:

God, our Heavenly Father, we come here with the feeling of the great responsibility that You have placed on our shoulders, for You have ordained these men and women to their office as senators; You have given them the task and responsibility to carry on the work that You have laid before them, for Your glory, for Your people.

We know, Father, that if they are to fulfill their task in their ministry that it requires Your spirit, Your power, within them. Your spirit to give them clear thinking, to give them courage, to give them the willingness to assume their responsibilities. And we thank You, Father, now for your presence, for Your direction and guidance upon each one present, for the carrying out of Your will for the benefit of all the citizens of this state, and of this nation. Truly bless this meeting this day, filling it and each one of its members with Your concern, with Your love, with Your will, for Your glory. For this we ask in Jesus' name and for his sake. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

Senator Sherman was granted leave of absence for today on account of important business on motion of Senator Snelson.

REPORTS OF STANDING COMMITTEES

Senator Adams submitted the following report for the Committee on Administration:

S.C.R. 90 (Ordered not printed)
S.C.R. 92 (Ordered not printed)
H.C.R. 54 (Ordered not printed)
H.C.R. 72 (Ordered not printed)
H.C.R. 86 (Ordered not printed)
H.C.R. 89 (Ordered not printed)
H.C.R. 96 (Ordered not printed)
H.C.R. 105 (Ordered not printed)
H.C.R. 109 (Ordered not printed)
H.C.R. 111 (Ordered not printed)
S.B. 1287 (Ordered not printed)

Senator Aikin submitted the following report for the Committee on Finance:

C.S.S.B. 366 (Read first time)

Senator Brooks submitted the following report for the Committee on Human Resources:

S.B. 1234
S.B. 1211
C.S.S.B. 959 (Read first time)

Senator Schwartz submitted the following report for the Committee on Jurisprudence:

S.B. 481
S.B. 1152
H.B. 992
S.B. 1275
S.B. 1151
S.B. 1033
S.B. 818
S.B. 524
S.B. 999
S.B. 866
S.B. 1043
C.S.S.B. 619 (Read first time)
C.S.S.B. 1153 (Read first time)
C.S.S.B. 1070 (Read first time)

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

S.B. 874 (Amended)
S.B. 835 (Amended)
S.B. 1173
S.B. 1164
S.B. 846
S.B. 891
C.S.S.B. 1064 (Read first time)
C.S.S.B. 281 (Read first time)

Senator Creighton submitted the following report for the Committee on Economic Development:

S.B. 1046
H.B. 633
H.B. 706
H.B. 705
H.B. 704 (Amended)
C.S.S.B. 1284 (Read first time)

Senator Mauzy submitted the following report for the Committee on Education:

H.B. 1110
S.B. 630
H.B. 1126
H.B. 788
C.S.S.B. 306 (Read first time)
C.S.S.B. 1255 (Read first time)

SENATE BILLS AND RESOLUTIONS ON FIRST READING

By unanimous consent, the following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 1290 by Jones of Harris Intergovernmental Relations
Relating to certain obligations and benefits in a police officers' pension system; amending Sections 7, 11(b), 13(a), and 15, of Chapter 76, Acts of the 50th Legislature, 1947, as amended (Article 6243g-1, Vernon's Texas Civil Statutes); adding Subsection (c) to Section 13 of Chapter 76, Acts of the 50th Legislature, 1947, as amended (Article 6243g-1, Vernon's Texas Civil Statutes).

S.B. 1291 by Longoria Natural Resources
 Relating to buck deer in Brooks County; amending Chapter 124, Parks and Wildlife
 Code, by adding Section 124.012.

S.B. 1292 by Patman
Relating to the validation of county time warrants.

S.B. 1293 by Mengden Economic Development
Relating to residency and experience requirements for real estate salesmen or
brokers; amending Sections 6(b) and 7(c), The Real Estate License Act, as amended
(Article 6573a, Vernon's Texas Civil Statutes).

S.B. 1294 by McKnight

State Affairs

Relating to the confidentiality of Federal tax information required to be furnished by a taxpayer for State tax purposes; adding Article 1.035, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended; providing penalties; and declaring an emergency.

S.B. 1295 by Meier

Intergovernmental Relations

Providing for the appointment and compensation of Public Defenders of Tarrant County; amending Chapter 501, Acts of the 61st Legislature, 1969 (Article 341-1, Vernon's Texas Civil Statutes).

S.J.R. 59 by Jones of Harris

Intergovernmental Relations

Proposing amendments to the Texas Constitution authorizing certain districts to engage in fire-fighting activities and to issue bonds or other indebtedness or to issue bonds or otherwise lend their credit for fire-fighting purposes.

S.R. 589 by Schwartz

Administration

Directing the Department of Highways and Public Transportation to report to the members of the 65th Legislature regarding the overall highway planning system which is currently being implemented.

MESSAGE FROM THE HOUSE

House Chamber

April 27, 1977

Honorable William P. Hobby
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 81, Recognizing and honoring Marshall, Texas — All American City.

S.C.R. No 73, In memory of Warren P. Cunningham, Jr.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 393.

House Conferees: Clark of Harris
Watson
Martin of Live Oak
Bird
Collazo

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives

BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S.C.R. 80
S.B. 185
S.B. 1210
H.C.R. 146

SENATE RESOLUTION 586

Senator Schwartz offered the following resolution:

S.R. 586, Urging Governor and Texas Congressional Delegation to assess Coastal Energy Impact Program as it may impact Texas and seek re-evaluation of proposed funding.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE BILL 920 WITH HOUSE AMENDMENT

Senator Longoria called **S.B. 920** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

Committee Amendment No. 1

Amend Section 11 (a), page 6, line 16, by striking the words "is entitled to" and substituting in their place the word "may".

The amendment was read.

Senator Longoria moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sherman.

COMMITTEE SUBSTITUTE HOUSE BILL 128 ON SECOND READING

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C.S.H.B. 128, Relating to the appointment, bond, and territorial jurisdiction of notaries public; amending Article 5949, Revised Civil Statutes of Texas, 1925, as amended, by amending Sections 2, 3, 5, and 7, Subsection (a) of Section 1, and Subsections (a) and (c) of Section 6, and by adding a Subsection (d) to Section 6; amending Articles 5958 and 5960, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

The bill was read second time and was passed to third reading.

COMMITTEE SUBSTITUTE HOUSE BILL 128 ON THIRD READING

Senator Moore moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.H.B. 128** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Williams.

Nays: Truan.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL 188 ON SECOND READING

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 188, A bill to be entitled An Act relating to the creation and composition of the University of Houston System; vesting authority in the Board of Regents of the University of Houston System; amending Subchapter B, Chapter 111, Texas Education Code, by adding Section 111.20.

The bill was read second time and was passed to third reading.

HOUSE BILL 188 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 188** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL 880 ON SECOND READING

On motion of Senator Lombardino and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 880, A bill to be entitled An Act relating to the responsibility of parents for the expense of hospitalization of children in state mental hospitals; amending Section 2, Chapter 152, Acts of the 45th Legislature, Regular Session, 1937 (Article 3196a, Vernon's Texas Civil Statutes).

The bill was read second time and was passed to third reading.

HOUSE BILL 880 ON THIRD READING

Senator Lombardino moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 880** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Jones of Taylor.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Jones of Taylor asked to be recorded as voting "Nay" on the final passage of the bill.

MOTION TO PLACE HOUSE BILL 444 ON SECOND READING

Senator Patman moved to suspend the regular order of business to take up for consideration at this time:

H.B. 444, A bill to be entitled An Act relating to the establishment and operation of a pilot multipurpose service center for displaced homemakers.

On motion of Senator Patman and by unanimous consent, the motion to suspend the regular order was withdrawn.

COMMITTEE SUBSTITUTE SENATE BILL 157 ON THIRD READING

Senator Meier moved to suspend the regular order of business to take up for consideration on its third reading and final passage:

C.S.S.B. 157, Relating to the admission in evidence of statement of an accused in a criminal proceeding; amending Articles 38.21 and 38.22, Code of Criminal Procedure, 1965, as amended.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Williams.

Nays: Creighton, Doggett, Longoria, Mauzy, McKnight, Truan.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Williams.

Nays: Creighton, Doggett, Longoria, Mauzy, McKnight, Truan.

Absent-excused: Sherman.

NOTICE OF EXECUTIVE SESSION

Senator McKnight gave Notice that he would move for an Executive Session of the Senate tomorrow at 11:00 o'clock a.m.

NOTICE OF LOCAL AND UNCONTESTED BILLS CALENDAR

On motion of Senator Adams and by unanimous consent, the Senate agreed to hold a Local and Uncontested Bills Calendar at 8:30 o'clock a.m. tomorrow.

SENATE BILL 608 ON THIRD READING

Senator Mengden moved to suspend the regular order of business to take up for consideration on its third reading and final passage:

S.B. 608, Relating to requiring semiannual meetings at each nursing home to discuss conditions at the home; amending Chapter 413, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4442c, Vernon's Texas Civil Statutes), by adding Section 7A.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Adams, Andujar, Braecklein, Brooks, Doggett, Hance, Harris, Jones of Harris, Kothmann, Lombardino, Mauzy, Mengden, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Clower, Creighton, Farabee, Jones of Taylor, Longoria, McKnight, Meier, Moore, Ogg.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Meier and Clower asked to be recorded as voting "Nay" on the final passage of the bill.

MOTION TO PLACE SENATE BILL 1139 ON THIRD READING

Senator Jones of Taylor moved to suspend the regular order of business to take up for consideration on its third reading and final passage:

S.B. 1139, Relating to the creation, administration, powers, duties, and operations of the Texas Department of Water; providing penalties; amending Title 2, Water Code, as amended, and Sections 2, 3(a) and (b), 4(a), (b), and (f), 4(e)(9), 5(a), 5(d)(4) and (6), 7, 8, 9, Solid Waste Disposal Act, as amended (Article 4477-7, Vernon's Texas Civil Statutes).

The motion was lost by the following vote: Yeas 11, Nays 17.

Yeas: Andujar, Braecklein, Brooks, Clower, Farabee, Jones of Taylor, Kothmann, Meier, Parker, Santiesteban, Williams.

Nays: Adams, Aikin, Creighton, Doggett, Hance, Jones of Harris, Lombardino, Mauzy, McKnight, Mengden, Moore, Ogg, Patman, Schwartz, Snelson, Traeger, Truan.

Absent: Harris, Longoria.

Absent-excused: Sherman.

SENATE BILL 898 ON SECOND READING

Senator Parker moved to suspend the regular order of business to take up for consideration at this time:

S.B. 898, Providing for better public understanding of policies and easier readability of terms contained in individual accident and sickness insurance; providing for and regulating the form and content of individual accident and sickness insurance policies issued or issued for delivery in the state; defining certain terms and the purpose of this Act; etc.; and declaring an emergency.

The motion prevailed by the following vote: Yeas 22, Nays 6, Present-Not Voting 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Meier, Moore, Ogg, Parker, Santiesteban, Schwartz, Traeger, Williams.

Nays: Clower, Doggett, Farabee, Mengden, Patman, Truan.

Present-Not Voting: Snelson.

Absent: Longoria.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Parker offered the following committee amendment to the bill:

Amend **S.B. 898** by striking out all of "Section 5." of **S.B. 898**, said Section 5. being set forth on page 27 at lines 1 through 7, both inclusive, and substituting in lieu thereof the following:

"Section 5. This Act shall apply to policies of accident and sickness insurance issued, or issued for delivery in the State of Texas after ~~June 1, 1976~~ June 30, 1978 or no less than six months after the legal adoption of the rules and regulations required by this Act, whichever occurs later. This Act shall not apply to policies issued, or issued for delivery, in the State of Texas prior to such date. State Board of Insurance Order No. 31704, dated December 16, 1976, and all amendments thereto, same being the Rules and Regulations adopted by the State Board of Insurance under provisions of law amended by this Act, are hereby expressly repealed and declared null and void, and the State Board of Insurance Rules and Regulations in force prior to State Board of Insurance Order No. 31704 shall control and regulate the issuance of individual health and accident policies until rules and regulations are adopted under the provisions of this Act."

The committee amendment was read and was adopted.

On motion of Senator Parker and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by the following vote: Yeas 21, Nays 8.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Meier, Moore, Ogg, Parker, Santiesteban, Schwartz, Traeger, Williams.

Nays: Clower, Doggett, Farabee, Hance, Mengden, Patman, Snelson, Truan.

Absent: Longoria.

Absent-excused: Sherman.

MOTION TO PLACE SENATE BILL 898 ON THIRD READING

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 898** be placed on its third reading and final passage.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members present): Yeas 22, Nays 7.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Meier, Moore, Ogg, Parker, Santiesteban, Schwartz, Traeger, Williams.

Nays: Clower, Doggett, Farabee, Mengden, Patman, Snelson, Truan.

Absent: Longoria.

Absent-excused: Sherman.

COMMITTEE SUBSTITUTE SENATE BILL 168 ON SECOND READING

On motion of Senator Clower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 168, Relating to the state's trust responsibility respecting Texas Indians; repealing Section 11, and amending Sections 2, 5, 7, 9, 10, 12, 13, 14, 15, 16, 18, 19, 20, and 21, Chapter 279, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 5421z, Vernon's Texas Civil Statutes).

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Adams and Hance asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 168 ON THIRD READING

Senator Clower moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 168** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Adams.

Absent: Longoria.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTES

Senators Adams and Hance asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE BILL 69 ON SECOND READING

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 69. A bill to be entitled An Act relating to the establishment of a procedure for resolving differences between agencies on matters relating to the equitable mitigation of adverse impacts on fish and wildlife resources of various construction practices, to expedite decision necessary for federal coordination; directing that a study be made of the subject of mitigation; providing for an expiration date and severability; and declaring an emergency.

The bill was read second time.

Senator Schwartz offered the following committee amendment to the bill:

Amend **S.B. 69** by deleting present section 7 and substituting the following:

Sec. 7. STUDY.

a) The Lt. Governor and the Speaker of the House shall appoint a joint interim committee to conduct a comprehensive study of all aspects of mitigation. The Lt. Governor shall appoint six persons, three Senators and three members of the public, and the Speaker of the House shall appoint six persons, three House Members and three members of the public. The study shall include the following considerations:

(i) Identification and definition of what is meant by "mitigation" as generally used in the context being considered herein.

(ii) Evaluation of major previous mitigation measures.

(iii) Delineation of current and likely future mitigation actions.

(iv) Estimation of costs and benefits of proposed mitigation measures, including an identification of beneficiaries.

(v) Institutional considerations, including financing authority and land acquisition powers, including eminent domain, and

(vi) Other matters deemed appropriate or necessary.

b) State agencies and political subdivisions of the state are directed to furnish such information and assistance as may be requested.

c) The Committee is authorized to hold hearings and collect evidence pertinent to the study called for above, and to make recommendations and reports as deemed appropriate to the 66th Legislature.

The committee amendment was read and was adopted.

On motion of Senator Schwartz and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 69 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 69** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Longoria.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

SENATE BILL 1189 ON SECOND READING

Senator Mengden moved to suspend the regular order of business to take up for consideration at this time:

S.B. 1189, Relating to an employment program for certain welfare recipients; amending The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes), by adding Section 19-B.

The motion prevailed by the following vote: Yeas 27, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Williams.

Nays: Jones of Harris, Truan.

Absent: Longoria.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Mengden offered the following committee amendment to the bill:

Amend **S.B. No. 1189** by striking Section 4 and substituting the following:

Sec. 4. REGISTRATION. (a) Except as provided in Subsection (b) of this section, each AFDC recipient shall register with the commission in the employment program established under Section 3 of this Act.

(b) An AFDC recipient is not required to register if he is in the class of individuals that is exempt from registering for manpower services, training, and employment under Section 402, Title IV-A of the federal Social Security Act (42 U.S.C.A. 602) and rules adopted pursuant to that law.

The committee amendment was read and was adopted.

Senator Mengden offered the following committee amendment to the bill:

Amend **S.B. 1189** by adding the following Section 13 and renumbering the remaining section accordingly:

“Sec. 13. **SUNSET PROVISION.** Unless re-enacted, the provisions of this Act shall be without effect after August 31, 1987.”

The committee amendment was read and was adopted.

On motion of Senator Mengden and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 1189 ON THIRD READING

Senator Mengden moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1189** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Williams.

Nays: Jones of Harris, Truan.

Absent: Longoria.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Truan asked to be recorded as voting “Nay” on the final passage of the bill.

SENATE BILL 676 ON SECOND READING

On motion of Senator Hance and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 676, Relating to a program for screening and testing newborn infants for hypothyroidism.

The bill was read second time.

Senator Hance offered the following committee amendment to the bill:

Delete Section 4 and substitute in lieu thereof the following:

"Sec. 4. When a positive test is confirmed, the services and facilities of the department and other boards, agencies, and political subdivisions in the state cooperating in the program shall be made available to establish a definitive diagnosis and to supervise treatment as a service to the family and attending physician."

The committee amendment was read and was adopted.

On motion of Senator Hance and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

SENATE BILL 676 ON THIRD READING

Senator Hance moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 676** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Truan, Williams.

Nays: Andujar, Traeger.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

RECORD OF VOTE

Senator Andujar asked to be recorded as voting "Nay" on the on the final passage of the bill.

SENATE BILL 140 ON SECOND READING

Senator Santiesteban moved to suspend the regular order of business to take up for consideration at this time:

S.B. 140, A bill to be entitled An Act to aid and enhance instruction in secular courses taught by nonpublic schools by providing for textbooks to be furnished without cost to pupils attending nonpublic schools; etc.

The motion prevailed by the following vote: Yeas 23, Nays 7.

Yeas: Andujar, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan.

Nays: Adams, Aikin, Doggett, Mauzy, McKnight, Moore, Williams.

Absent-excused: Sherman.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Adams, Aikin, Doggett, Mauzy and McKnight asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

MOTION TO PLACE SENATE BILL 140 ON THIRD READING

Senator Santiesteban moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 140** be placed on its third reading and final passage.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members present): Yeas 23, Nays 7.

Yeas: Andujar, Braecklein, Brooks, Clower, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Snelson, Traeger, Truan.

Nays: Adams, Aikin, Doggett, Mauzy, McKnight, Moore, Williams.

Absent-excused: Sherman.

COMMITTEE APPOINTED

In accordance with the provisions of **S.C.R. 3**, the President announced the appointment of the following as a Committee to Select the State Artist: Senators Creighton, Moore and McKnight.

MEMORIAL RESOLUTION

S.R. 588 - by Adams: Memorial resolution for R.G. (Bob) Beall.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 81 (Aikin): Recognizing and honoring Marshall, Texas, as an All American City.

S.R. 582 - by Schwartz: Extending welcome to Weis Middle School 7th Grade class.

S.R. 583 - by Doggett: Extending welcome to Brykerwoods Elementary School 3rd and 4th grade classes.

S.R. 584 - by Doggett: Extending welcome to Reverend Harwell E. Norris, Jr.

S.R. 585 - by Doggett, Jones of Harris: Extending welcome to Pershing Junior High School String Orchestra.

S.R. 587 - by Clower: Extending welcome to DeSoto High School Government Students.

S.R. 590 - by Schwartz: Extending congratulations to Mrs. Libbie Moody Thompson.

RECESS

On motion of Senator Aikin the Senate at 12:12 o'clock p.m. took recess until 8:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

(April 27, 1977)

S.C.R. 80

S.B. 185

S.B. 1210

FIFTY-EIGHTH DAY

(Continued)

(Thursday, April 28, 1977)